

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB277

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Ebbin

3. Committee: Transportation

4. Title: Department of Motor Vehicles; Virginia Community Policing Act; race and ethnicity data.

5. Summary: This bill requires the Department of Motor Vehicles to require an applicant for an original driver's license, driver privilege card, special identification card with or without a photograph, and identification privilege card or the renewal or reissue of such license or card to provide his race and ethnicity. The bill prohibits displaying any such data in a readable form on a credential issued by the Department and requires such data to be encoded in the barcode on the back of such license or card. The bill prohibits the release of such data to any entity other than the Department of State Police to be used exclusively for the Virginia Community Policing Act Database.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item #8.

8. Fiscal Implications: The Community Policing Reporting Database was established during the 2020 General Assembly Session. This database consists of motor vehicle and investigatory stop records, complaints alleging the use of excessive force, and data and information submitted by law enforcement agencies. The Director of the Community Policing Reporting Database submits an annual report based on an analysis and interpretation of the data from the database to the Governor, General Assembly, and Attorney General.

This bill would have race and ethnicity questions added to Department of Motor Vehicles (DMV) applications for credentials. Customers would be required to make a selection from lists included on the applications. The lists of races and ethnicities used in the database are those used by the U.S. Census Bureau. DMV would be restricted in releasing the race and ethnicity data in the DMV database only to the State Police and it would only be permitted for purposes of this information being added to the Community Policing Reporting Database.

In order to implement the bill, the agency will incur programming costs estimated at \$58,920. The 800 staff hours required can be accomplished during the normal work schedules for DMV employees, given current workloads. In addition, updates by DMV's vendor to enable this data to be read through the credential would cost \$65,000 (non-encrypted barcode) or \$140,500 (encrypted barcode). The total impact on DMV would be

between \$123,920 and \$199,420. If an encrypted barcode is used, DMV would also incur further ongoing costs for support services charged by the third-party vendor.

9. Specific Agency or Political Subdivisions Affected: Department of Motor Vehicles, Department of State Police.

10. Technical Amendment Necessary: No.

11. Other Comments: None.